

Remarks

Drawings

Formal drawings are enclosed.

Claim Objections

Claims 3 to 5 have been amended to recite “each mirror”. Claim 9 has also been amended to recite “is fabricated” rather than “is which may be fabricated”.

Claim Rejections – 35 USC § 112

Claim 7 has been cancelled. Claims 17 and 19 have been amended to recite the features of amended Claim 1 and Claims 18 and 20 have been amended to recite the features of amended Claim 12.

Claim Rejections – 35 USC § 102

Claim 1 has been amended to include the subject matter of Claim 7 and Claim 7 has been cancelled. Applicant submits that Aksyuk does not disclose an optical attenuation device wherein “at least one reflector means comprises a mirror in combination with a controllable, optically absorbing material”.

Aksyuk teaches directly away from this combination of features stating on lines 16 to 18 of column 5 that “an optical absorption material can be substituted for the gold reflector 303 of FIG. 3 used to attenuate the optical signal” (emphasis added). Normal dictionary meaning of substitute does not include combine with.

Therefore, Applicant submits that nowhere, does Aksyuk suggest that a mirror may be combined with an optically absorbing material. Hence, Applicant submits that Claim 1 is not anticipated by Aksyuk.

Claims 11 and 12 have been amended to incorporate the subject matter of Claims 13 and 7. Therefore, Applicants submit, for the reasons given above, that Claims 11 and 12 are not anticipated by Aksyuk.

Claim 15 and 16 have been amended to incorporate the subject matter of Claim 7. Therefore, Applicant submits, for the reasons given above, that Claims 15 and 16 is not anticipated by Aksyuk.

Claims 17 and 19 have been amended to recite the features of amended Claim 1 and Claims 18 and 20 have been amended to recite the features of amended Claim 12. Therefore, for the reasons given above, Applicant submits that Claims 17 to 20 are not anticipated by Aksyuk for the reasons give above.

Claims 21, 22 and 23 incorporate the subject matter of Claims 1, 11 and 12 respectively. Therefore, for the reasons given above, Applicant submits that Claims 21 to 23 are not anticipated by Aksyuk for the reasons give above.

Applicant submits that Claims 2 to 6 and 8 to 10 are patentable at least by virtue of their dependencies.

Given the above, further and favorable reconsideration is urged.

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Respectfully submitted,

A handwritten signature in black ink, appearing to read "Peter J. Shakula", written over a horizontal line.

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